



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Legislative Analysis

Infrastructure and Land Use Committee

Tuesday, July 11, 2006

9:30 AM

Commission Chamber

Charles Anderson, CPA
Commission Auditor

111 NW First Street, Suite 1030
Miami, Florida 33128
305-375-4354

INLUC Legislative Analysis & Notes
July 11, 2006

	Item No.	Subject Matter	Background	Analysis / Comments / Questions	LA
1.	2(A)	Exchange of Property Rights	<ul style="list-style-type: none"> • Commission District: 12 • 60 feet of canal reservation which is no longer needed by Miami-Dade County to Rangel Fernandez, in exchange for 70 feet of land for right-of-way for the N.W. 97th Avenue Canal. • Location: West of N.W. 97th Avenue and South of N.W. 137th Street • Section 29, Township 52 South, Range 40 East 		JTS
2.	2(B)	Release of Excess Canal Reservations in Exchange for Canal Maintenance Easement	<ul style="list-style-type: none"> • Commission District 12 • 77 Acres, LLC, submitted deeds for 50 feet of canal right-of-way and 20 feet of canal maintenance easement, in exchange for the release of 130-foot canal reservation from along N.W. 97th Ave., and 50-foot canal reservation along N.W. 138th Street. • Location: Northwest of N.W. 97th Ave. and N.W. 138th Street 		JTS
3.	2(C)	Request to Advertise for the Virginia Key Wetlands Restoration Project	<p>This resolution would authorize a request to advertise for the Virginia Key Wetlands Restoration Project, which includes:</p> <ul style="list-style-type: none"> • The creation of a 500-foot long boardwalk and 32.2 acres of estuarine marshland mangrove habitats; removal of 5.71 acres of invasive vegetation; restoration of 6.23 acres of existing conveyance and mosquito ditches; and the creation of .42 acres of interconnecting tidal channels. • District: 7 • Funding Source: South Florida Water Management District and the Biscayne Bay Environmental Enhancement Trust Fund. • Contract Period: 150 days • Cost Estimate: \$1,750,000.00 • CSBE Goal: 0% • CWP Goal: 0% 		JTS

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			<ul style="list-style-type: none"> • Mandatory Clearinghouse: Yes 		
4.	2(D)	2006-07 Storm water Budget between Miami-Dade County and the Village of El Portal	<p>According to the interlocal agreement with the Village of El Portal, the Board of County Commissioners must annually approve the budget. The FY 2006-07 proposed storm water utility budget is as follows:</p> <ul style="list-style-type: none"> • Total projected revenue: \$512,962 • Total projected expenditures: \$512,962 <ul style="list-style-type: none"> ○ The largest line item expenditure is for the construction of drainage improvements, engineering/survey/construction services: \$483,412. 		JTS
5.	2(E)	Resolution approving and accepting certain covenants, easements and agreements pertaining to environmental obligations	<p>This resolution approves and accepts declaration of restrictive covenants, easements and agreements relating to the environmental obligations of AMB Codina Beacon Lakes, LLC; Beacon Lakes Villages, LLC; Beacon Lakes Community Development District; Pan American West Property Owner's Association, Inc; and Pan American West, Ltd.</p> <ul style="list-style-type: none"> • This resolution assures the County perpetual funding for, and physical maintenance of the N.W. 25th Street Canal Hydraulic Divide Project, and grants cross-access easements, and covenant restrictions. • This resolution will also waive the requirements of R-130-06, which requires the signature of private parties prior to submitting any agreements for approval to the Board of County Commissioners. 		JTS
6.	2(F)	Resolution approving an Option to Purchase Property for Environmentally Endangered Lands Program	<ul style="list-style-type: none"> • Seller: Stanley R. Kowalsky • Acreage: 9.73 acres • Zoning: Agriculture (Vacant Land) • Proposed Purchase Price: \$77,800 (\$7,995.89 per/acre) • Funding Source: GOB Project 2.4 Site #72370 		BM

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7.	2(G)	Resolution approving an Option to Purchase Property for Environmentally Endangered Lands Program	<ul style="list-style-type: none"> • Seller: Edith Oliveira de Araujo • Acreage: 5 acres • Zoning: Agriculture (Vacant Land) • Proposed Purchase Price: \$30,000 (\$6,000.00 per/acre) • Funding Source: GOB Project 2.4 Site #72373 		BM
8.	2(H)	Resolution approving an Option to Purchase Property for Environmentally Endangered Lands Program	<ul style="list-style-type: none"> • Seller: Salim S. Nassar • Acreage: 5 acres • Zoning: Agriculture (Vacant Land) • Proposed Purchase Price: \$30,000 (\$6,000.00 per/acre) • Funding Source: GOB Project 2.4 Site #72372 		BM
9.	2(I)	Resolution approving an Option to Purchase Property for Environmentally Endangered Lands Program	<ul style="list-style-type: none"> • Seller: Barbara L. Gelberd and William F. Reid • Acreage: 5.11 acres • Zoning: Unzoned (Vacant Land) • Proposed Purchase Price: \$30,660 (\$6,000.00 per/acre) • Funding Source: GOB Project 2.4 Site #72371 		BM
10.	2(J)	Resolution approving an Option to Purchase Property for Environmentally Endangered Lands Program	<ul style="list-style-type: none"> • Seller: Bette Jo Abolt • Acreage: 5 acres • Zoning: Agriculture (Vacant Land) • Proposed Purchase Price: \$30,000 (\$6,000.00 per/acre) • Funding Source: GOB Project 2.4 Site #72374 		BM
11.	2(K)	Resolution approving an Option to Purchase Property for Environmentally Endangered Lands Program	<ul style="list-style-type: none"> • Seller: Jorge L. Coronado • Acreage: 5 acres • Zoning: Unzoned (Vacant Land) • Proposed Purchase Price: \$47,400 (\$9,480.00 per/acre) • Funding Source: GOB Project 2.4 Site #72362 		BM
12.	2(L)	Resolution approving an Option to Purchase Property for Environmentally	<ul style="list-style-type: none"> • Seller: Mis Kilitos Investment Company • Acreage: 14.77 acres • Zoning: Unzoned (Vacant Land) 		BM

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		Endangered Lands Program	<ul style="list-style-type: none"> Proposed Purchase Price: \$118,200 (\$8,002.71 per/acre) Funding Source: GOB Project 2.4 Site #72363 		
13.	2(M)	Resolution approving an Option to Purchase Property for Environmentally Endangered Lands Program	<ul style="list-style-type: none"> Seller: Assaad Nassar Acreage: 5 acres Zoning: Agriculture (Vacant Land) Proposed Purchase Price: \$30,000 (\$6,000.00 per/acre) Funding Source: GOB Project 2.4 Site #72358 		BM
14.	2(N)	Resolution approving an Option to Purchase Property for Environmentally Endangered Lands Program	<ul style="list-style-type: none"> Seller: Maritime marketing Assoc. Inc. Acreage: 5 acres Zoning: Unzoned (Vacant Land) Proposed Purchase Price: \$35,000 (\$7,000.00 per/acre) Funding Source: GOB Project 2.4 Site #72365 		BM
15.	2(O)	Resolution approving an Option to Purchase Property for Environmentally Endangered Lands Program	<ul style="list-style-type: none"> Seller: Mary Ann Lewis Acreage: 5 acres Zoning: Unzoned (Vacant Land) Proposed Purchase Price: \$48,600 (\$9,720.00 per/acre) Funding Source: GOB Project 2.4 Site #72367 		BM
16.	2(P)	Resolution approving an Option to Purchase Property for Environmentally Endangered Lands Program	<ul style="list-style-type: none"> Seller: Alpiste S.A., a Panamanian corporation Acreage: 7.58 acres Zoning: Agriculture (Vacant Land) Proposed Purchase Price: \$83,400 (\$11,002.64 per/acre) Funding Source: GOB Project 2.4 Site #72360 		BM
17.	2(Q)	Resolution approving an Option to Purchase Property for Environmentally Endangered Lands Program	<ul style="list-style-type: none"> Seller: Valeria B. Anderson Acreage: 5 acres Zoning: Agriculture (Vacant Land) Proposed Purchase Price: \$30,000 (\$6,000.00 per/acre) Funding Source: GOB Project 2.4 Site #72375 		BM

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18.	2(R)	Resolution approving an Option to Purchase Property for Environmentally Endangered Lands Program	<ul style="list-style-type: none"> • Seller: Miguel Melgar • Acreage: 5 acres • Zoning: Unzoned (Vacant Land) • Proposed Purchase Price: \$40,000 (\$8,000.00 per/acre) • Funding Source: GOB Project 2.4 Site #72317 		BM
19.	2(S)	Resolution approving an Option to Purchase Property for Environmentally Endangered Lands Program	<ul style="list-style-type: none"> • Seller: Michael Neaves and Enedina Neaves • Acreage: 7.24 acres • Zoning: Unzoned (Vacant Land) • Proposed Purchase Price: \$72,400 (\$10,000.00 per/acre) • Funding Source: GOB Project 2.4 Site #72364 		BM
20.	2(T)	Resolution approving an Option to Purchase Property for Environmentally Endangered Lands Program	<ul style="list-style-type: none"> • Seller: Karl L. Saffell • Acreage: 15 acres • Zoning: Agriculture and Unzoned (Vacant Land) • Proposed Purchase Price: \$95,000 (\$6,333.33 per/acre) • Funding Source: GOB Project 2.4 Site #72359 		BM
21.	2(U)	Resolution approving an Option to Purchase Property for Environmentally Endangered Lands Program	<ul style="list-style-type: none"> • Seller: Noel Gonzalez • Acreage: 5 acres • Zoning: Agriculture (Vacant Land) • Proposed Purchase Price: \$30,000 (\$6,000.00 per/acre) • Funding Source: GOB Project 2.4 Site #72366 		BM
22.	2(V)	Supplemental Information to Wetlands Purchases on this Agenda	This item offers additional information regarding the various purchases for the Environmentally Endangered Lands Program.	Purchase offers containing recent appraisals were sent to hundreds of landowners on April 4, 2006.	BM
23.	2(W)	Interlocal Agreement with FDOT for services associated with National Pollutant Discharge Elimination System	The Federal Environmental Protection Agency (EPA) "MS4 Permit" requires that Miami-Dade County, municipalities, FDOT, MDX and the Turnpike District control stormwater discharges between multiple entities.	Additionally, FDOT has requested that the County provide, the following, additional services on their behalf: <ul style="list-style-type: none"> • Inspection Services • Surveying • Information Technology Support 	TG

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		(NPDES)	The above listed Co-permittees reimburse Miami-Dade County for monitoring costs associated with the MS4 Permit.	<ul style="list-style-type: none"> Mapping Services <p>For these services, FDOT will reimburse the County \$550,000 per year for 5 years.</p>	
24.	2(X)	Transfer of County owned Right-of-Way to the Florida Department of Transportation (FDOT) for the NW 74 th Street project	The widening project of NW 74 th Street from the Palmetto Expressway to the Florida Turnpike is included in the Peoples' Transportation Plan (PTP) was expedited by a vote of the Miami-Dade County MPO.	This Right-of-Way is needed by FDOT to facilitate construction of the exits to the Florida Turnpike.	TG
25.	2(Y)	Conveyance of properties for Road Purposes.	The Miami-Dade County Public Works Department (PWD) is recommending the acceptance of various properties for Right-of-Way purposes	11- properties for Right-of-Way 1 – property improvement agreement	TG
26.	2(Z)	Road Closing (Public Hearing)	Coral Town park, Inc. is petitioning for the closure of two (2) irregular portions of SW 144 th Ave. <ul style="list-style-type: none"> This property has never been maintained or improved by Miami-Dade County 	The Departments of Planning & Zoning, Public Works, Water & Sewer, and Fire & Rescue have no objections to this petition.	TG
27.	2(AA)	Retroactive Change Order (No. 3 and Final) with R.L. Saum Construction Company, Inc.,	R.L. Saum was contracted to construct a new toll plaza and associated structures on the Venetian Causeway. <ul style="list-style-type: none"> Original Contract Amount: \$2,089,106 Change Order No. 1 - \$62,320 (Increase) 94 Day Contract extension Original Contract Completion Date – October 2, 2003	Total Amount this Change Order - \$287,852 (Increase) Total percent increase from original amount – 16.76% This Change Order also seeks to increase the time of this contract by 413 days. The Department has identified the following conditions as justification for the Change Orders: <ul style="list-style-type: none"> Department requested Changes Utility Conflicts 	TG



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				<ul style="list-style-type: none"> Regulatory Changes <p>Total increase in days of all Change Orders – 600 days.</p> <p>Contract Completion Date after Change Orders – May 24, 2005</p>	
28.	2(BB)	Retroactive Change Order	<p>This item requests approval of a retroactive Change Order (No. 2) with Petro-Hydro Inc., for a QNIP Drainage work at 41 locations.</p> <ul style="list-style-type: none"> Original Contract Amount - \$2,200,000 Change Order No. 1 - \$330,000 (Increase) 	<p>Current Change Order - \$28,403 (Increase)</p> <p>The Department has identified the following conditions as justification for the Change Orders:</p> <ul style="list-style-type: none"> Unforeseen Circumstances Need for different types of Stormwater pipes Work performed at night Removal of unsuitable material <p>This contract was completed on April 22, 2005</p>	TG
29.	2(CC)	Ninth and Final Amendment to the Professional Services Agreement with Brown and Caldwell	<p>Proposed Resolution authorizes the County Manager to execute the Ninth and final Amendment to the Professional Services Agreement between MDC and Brown and Caldwell for continuing bond engineering services in connection with the Solid Waste System Bonds (Ordinance 96-168), Resources Recovery Facility Operations, Management Agreement with Montenay-Dade, Ltd. and the Comprehensive Landfill Closure Plan.</p> <ul style="list-style-type: none"> Term through April 28, 2009, after which agreement expires Total authorization for 3-yr amendment period is \$3,459,000 24% CBE participation goal applied Disputed invoice amounts in 6th and 7th amendments to agreement addressed and County reimbursed \$219,000 identified in Office of Inspector General Final Audit Report (Sept, 25, 2005). 		ENO

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30.	2(DD)	Landfill Closure Grant Agreement between Miami-Dade County (MDC) and City of Homestead	<p>Proposed Resolution authorizes the County Manager to execute grant agreement between MDC and the City of Homestead (City) to fund closure and remediation costs for the Homestead Landfill site.</p> <ul style="list-style-type: none"> Initial grant agreement under Resolution R-1346-96, provided City with a grant not to exceed \$10,000 to implement City's Florida Department of Environmental Protection (FDEP) groundwater monitoring plan at its closed Class II Landfill. First amended agreement (R-146-01) provided city with a one-time grant not to exceed \$280,000 for an environmental and geotechnical study of the Landfill site to address concerns of potential off-site groundwater and surface water contamination. County Manager's Memorandum, Feb. 3, 2004, R-244-04, included recommended elements for Comprehensive Landfill Closure Plan <u>County will fund and place \$7,500,000 in a County and City administered escrow account contingent upon City extending solid waste disposal services agreement with County through Oct. 1, 2025</u> all disbursements to the City contingent upon submission of invoices by the City Waiver of provisions of Resolution 3-377-04 pertaining to effective date be waived. Post closure monitoring annual costs of \$50,000 will be paid by County Grant payments will be made from the proceeds of County tax-exempt revenue bond sale pledging revenues from the Utility Service Fee or other revenues of the Department of Solid Waste Management. 		ENO
31.	2(EE)	Refund of Water and Sewer connection charges and	Sec. 2-348 of the Code of Miami-Dade County provides that certain commercial development within enterprise zones, are eligible for	This applicant has met the requirements for waiver.	TG

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		exemption from additional charges for WLK II (Denny's restaurant at 19780 NW 27 th Ave.	<p>waiver of water and sewer connection charges.</p> <p>The following standards must be met to apply for this waiver of fees:</p> <ul style="list-style-type: none"> • Development must be located within an existing Enterprise Zone. • Consistent with the CDMP • The development must have been granted an Ad Valorem Tax exemption • At least 25% of the employees are residents of the Enterprise Zone 		LA
32.	2(FF)	Ordinance Creating Wellfield Protection Zones for the South Miami Heights Wellfield Complex; Amending Sections of the Miami-Dade County Code	<ul style="list-style-type: none"> • This ordinance amends sections of the Miami-Dade County Code pertaining to definitions, operating permits, public potable water supply wells, liquid waste disposal, and potable water supply systems. • Adopting this ordinance allows changes to be made to the Code providing new wellfield protection zones while incorporating South Miami Heights Wellfield Complex into the County's wellfield protection program. 	<ul style="list-style-type: none"> • The South Miami Heights Wellfield Complex consist of wellfields that will be located at: <ol style="list-style-type: none"> 1. Roberta Hunter Park; 2. Caribbean Park; 3. Rockpit 77 Park 4. South Miami Heights Water Treatment Plant (11495 SW 190th Terrace Road) 	TDW TG
33.	2(GG)	Ordinance pertaining to Zoning Amending Section 33-7 (Minimum lot areas and yards) of the Code of Miami-Dade County (MDC)	<ul style="list-style-type: none"> • Proposed Ordinance pertains to single-family and duplex use of certain lots created prior to August 2, 1938, that do not meet current zoning regulations. <ul style="list-style-type: none"> ○ Current zoning regulations require: <ul style="list-style-type: none"> ▪ Minimum lot width of 75 ft.; and ▪ Lot area of 7,500 sq. ft. • Proposed Ordinance provides further relief for these lots allowing for duplex use in zoning districts RU-2, RU-3 or RU-3B <u>to combine two or more lots to provide a lot of at least 50</u> 	<ul style="list-style-type: none"> • Currently, §33-7 for duplex use does not allow 2 or more lots to be combined to provide at least 50 ft. in width and 5,550 sq. ft of lot area. 	ENO

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			<u>ft. in width and at least 5,550 sq. ft. of lot area.</u> <ul style="list-style-type: none"> No fiscal impact. 		
34.	2(HH)	Proposed Zoning Ordinance Establishing the Cutler Ridge Metropolitan Urban Center District (CRMUCD) Regulations	<ul style="list-style-type: none"> Creates §33-284.99.23 – 33-284.99.30 of the Code, CRMUCD Regulations. Cutler Ridge Metropolitan Urban Center (CRMUC) boundaries: <ul style="list-style-type: none"> East – Homestead Extension of the Florida Turnpike South – Black Creek Canal West – U.S. 1/South Miami-Dade Busway corridor, including properties on both sides of the corridor CRMUC encompasses the area of the Southland Mall and the South Miami-Dade Government Center. Important Dates <ul style="list-style-type: none"> <u>April 13, 2004</u>, BCC adopted Resolution No. R-438-04, accepting the Downtown Cutler Ridge Charrette Report <u>Nov. 8, 2005</u>, Town of Cutler Bay incorporated (portions of CRMUCD included in municipality) <u>April 6, 2006</u>, Town Council adopted Urban Center District Land Development Regulations ordinance (contains municipal portion of CRMUCD) <u>July 2006</u>, Town of Cutler Bay to conclude rezoning process. <u>Following adoption of CRMUCD by BCC, rezoning application will be presented to the Board.</u> 	No fiscal impact.	ENO
35.	2(II)	Proposed Zoning Ordinance Establishing the Perrine Community Urban Center District Regulations	<ul style="list-style-type: none"> Creates §33-284.99.6 - 33-284.99.13 of the Code, PECUCD Regulations. The Perrine Community Urban Center is located around the South Dade Busway stops at Banyan, Indigo and SW 184th Streets. Jan. 11 – 17, 2003, Perrine Charrette held. 	No fiscal impact.	ENO

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			<ul style="list-style-type: none"> Following adoption of PECUCD by BCC, rezoning application will be presented to the Board. 		
36.	2(JJ)	Ordinance Revising Installation Requirements for Backflow Preventers	<ul style="list-style-type: none"> This item has been deferred. 	<ul style="list-style-type: none"> This item has been deferred. 	BM
37.	2(KK)	Ordinance amending the amount of special water and sewer construction connection charges for buildings and properties in Downtown Kendall	<ul style="list-style-type: none"> WASD's Downtown Kendall project provides installation of new water and sewer lines along North Kendall Drive (SW 88th Street), east of the Palmetto Expressway (S.R.826) to accommodate changes in zoning policies as dictated by Ordinance No. 99-166. This amendment alters the special construction connection rates on new or increased water and sewer service lines for Downtown Kendall. This amendment is provided as a result of WASD analysis providing the potential future flows for properties that would utilize the new water and sewer facilities generated by redevelopment projects in the respective area in Downtown Kendall. The analysis generated by WASD estimated an average of 542,562 gallons of water and 349,271 gallons of sewage flow would be used in the area. The special construction connection rates for water have been altered from \$0.53 per average daily gallon per day to \$0.58 per average daily gallon per day. The special construction connection rates for sewer have altered from \$0.76 per average daily gallon per day to \$0.73 per average daily gallon per day. This Amendment alters the maximum lump sum WASD anticipated paying the Downtown Dadeland Residential Condominiums, LLC to fund the project from \$783,738 to \$572,897. 	<p>Model Formula:</p> <p><u><i>estimated cost of construction</i></u> <i>estimated avg. daily flow of gallons = special connection charge per avg. daily gals. per day</i></p> <p>Note: Residents (property owners) in the area receiving the new water and sewer service/improvements will reimburse the lump sum total back to WASD.</p>	TDW TG

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			(\$317,089 for water and \$255,808 for sewer = \$572,897)		
38.	3(A)	Ordinance relating to Community Councils; membership (sponsored by Comm. Ginenez)	<ul style="list-style-type: none"> Amends §20-43 of the Code Proposed Ordinance would prohibit Community Council member, elected or appointed to fill an unexpired term, to hold over in office if: <ul style="list-style-type: none"> qualifies for an elected position, and term has expired. 	<p>According to the County Attorney's Office:</p> <ul style="list-style-type: none"> Under State resign-to-run laws if the term of office a council member currently hold does not run concurrently with the term of office the council member is seeking you do not need to resign. If the council member should happen to lose the election the council member could hold over until the council member was replaced. This assumes that no one ran for that position. Under this ordinance the council member would have to vacate the position and could not hold over. 	ENO
39.	3(B)	Storage of loose objects in the event of a Severe Weather Advisory	<p>This Ordinance defines a Severe Weather Advisory as a:</p> <ul style="list-style-type: none"> Tropical Storm Warning Hurricane Watch Hurricane Warning <p>Once a severe weather advisory is issued, loose objects shall be secured by:</p> <ul style="list-style-type: none"> Storing object in a building Bundling objects together or securing objects so as to prevent them from becoming windborne during severe weather 	<p>Sponsored by Commissioner Sally A. Heyman</p> <p>This Ordinance is designed to reduce the instances of, and damage caused by, flying objects during severe weather events.</p> <p>Failure to abide by the provisions of this subsection shall be punishable by civil fine \$500.</p> <p>This Section shall preempt any inconsistent municipal ordinance.</p>	TG
40.	3(C)	Securing of Construction Sites in the event of Severe Weather	<p>This Ordinance makes the following changes to Sec. 8-16 of the Code of Miami-Dade County governing Building Codes:</p> <p>Construction Sites:</p> <ul style="list-style-type: none"> Construction Equipment and Materials may not be maintained or stored on any property where a building permit has not been issued unless a Certificate of Use has been issued to the property owner. 	<p>Sponsored by Chairman Joe A. Martinez & Commissioner Sally A. Heyman</p> <p>This Ordinance is designed to reduce the instances of, and damage caused by, flying debris during severe weather events.</p>	TG

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		<ul style="list-style-type: none"> Final Inspections shall not be granted until all construction equipment and debris have been removed from the site. All material, equipment, and debris must be removed from a site if the job has been abandoned, or the permits have lapsed. <p>Containing Material & Debris:</p> <ul style="list-style-type: none"> All building materials and debris on a site must be contained <p>Exceptions for the storage of Material & Debris</p> <ul style="list-style-type: none"> Up to 10 cubic yard of debris and material may be stored in "Open Air" piles on a site unless a severe weather advisory is in effect. No more than 2 piles per sub-division. <p>Storage of materials and equipment during hurricane season:</p> <ul style="list-style-type: none"> Open Air storage for more than 7 days is prohibited Materials contained in their original packaging or packaged together so as to resist separation during severe weather may be stored outdoors without limitation to time No materials may be stored on rooftops Other materials not covered above must be secured or affixed so as to resist being blow away by winds or must be stored in a building It is the responsibility of the permit holder and property owner to adhere to all provisions of this code. The Building Department may refuse to perform any requested inspections if violations are observed 	<p>This Ordinance allows the Building Department some discretion in the enforcement of any penalties associated with a failure to comply with these provisions.</p>	LA
41.	3(D) Ordinance amending Section 2-704 relating to the Miami-Dade County Flood Management Task Force	<ul style="list-style-type: none"> This Ordinance provides an amendment to section 2-704 of the Miami-Dade County, granting the Miami-Dade County Water and Sewer Department one (1) representative appointment to the Miami-Dade County Flood Management Task Force. 		TG

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			<ul style="list-style-type: none"> This Ordinance also calls for an amendment to section 2-704, expressing the Task Force shall study, investigate, and analyze all issues concerning water re-use. 		
42.	3(E)	Resolution sponsored by Commissioner Javier D. Souto relating to traffic signals	This resolution directs the County Manager to develop a plan for placement of all traffic lights in Miami-Dade County of "Mast Arm" Devices instead of tension wires and cords.	Some municipalities in Miami-Dade County (such as the City of Miami) and Broward County (City of Plantation) have begun to place their traffic signal devices on similar steel framed standards.	TG
43.	3(F)	Directs the County Manager to explore the feasibility of an assessment on Agricultural Properties to offset the costs of removing debris on or adjacent to Agricultural property as a result of windstorms	<p>This resolution directs the County Manager to meet with the Agricultural Practices and Studies Advisory Board and develop recommendations as to the feasibility of assessing agricultural property owners a fee to offset costs of debris removal.</p> <p>Currently, if there is no residential unit on that property, that property is not assessed an annual Solid Waste Fee.</p> <p>Commercial agricultural properties do not pay and annual Solid Waste Fee.</p> <p>The Federal Emergency Management Agency (FEMA) does not reimburse the costs of debris pick up from commercial properties.</p>	<p>Sponsored by Commissioner Dennis C. Moss</p> <p>The Solid Waste Management Department estimates the cost per truckload of debris to be \$525.</p> <p>Some agricultural property owners use debris from fallen trees as agricultural mulch.</p> <p>If a Fee Structure is developed per property, the County Manger's report will need to take into account the size of the farm and the type of agriculture.</p> <p>For example: A 50 Acre Avocado Orchard probably should not pay the same fee as a 5 Acre Strawberry Farm.</p>	TG
44.	3(G)	Memorandum of Understanding with the Florida Department of Environmental Protection	<p>Participation in the "Green Lodging Program" was recommended to the Board of County Commissioners in the County's Water Use Efficiency Five Year Plan.</p> <ul style="list-style-type: none"> The BCC approved this plan on April 25, 2006 	<p>Sponsored by Chairman Joe A. Martinez</p> <p>Through this MOU, Miami-Dade County agrees to take certain steps to promote the efficient use of natural resources within the</p>	TG

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		(FDEP) for implementation of the Green Lodging Program		lodging industry. Some of these responsibilities may be to: <ul style="list-style-type: none"> • Provide the industry with tips towards the efficient use of resources such as low flow fixtures, water reclamation techniques, linen reuse, etc... • Advertise information about the Green Lodging Program through the County's Web Portal • Encourage Staff to utilize Green Lodging certified facilities for travel, meetings, and conferences 	
45.	3(H)	Resolution relating to the acquisition of land required for the construction of S.W. 172 Ave. South from Kendall Dr. to S.W. 88 St. (sponsored by Comm. Martinez)	Authorizes and directs the County Manager and the County Attorney to: <ul style="list-style-type: none"> • employ appraisers • review appraisers and any required experts • obtain required environmental assessments, and • to take any and all appropriate actions to acquire the subject property in fee simply by any of the following means: <ul style="list-style-type: none"> o donation o purchase at the appraised value o eminent domain proceedings including a declaration of taking as necessary for and on behalf of MDC 		ENO
46.	4(A)	Authorizes the County Manager to apply for and expend funds from the FDOT Highway Beautification Grant Program	The funds from this agreement shall be utilized for a project located in the area of State Road 112 and NW 39 th Street. This area has been identified by the Community Image Advisory Board (CIAB) as one of three priority corridors	The County may apply for up to \$300,000 These funds will be matched by <ul style="list-style-type: none"> • \$150,000 from CIAB funds • \$150,000 from the City of Miami • 	TG
47.	7(A)	Mitigation Adjustment	In response to concerns raised by the City of Doral, the Town of	Findings and Recommendations:	TG

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	Policy Review Task Force	<p>Miami Lakes, and the Village of Palmetto Bay, On March 21, 2006 the Board of County Commissioners created the Mitigation Adjustment Policy Review Task Force.</p> <p>The Task Force was created to study the current mitigation formula created when each of these three municipalities incorporated and make recommendations to the Board related to the amount, frequency, and duration of these payments.</p> <p>Mitigation payments are charged to newly incorporated municipalities to off set losses in revenues to the Unincorporated Municipal Service Area (UMSA) as a result of the incorporation or previously unincorporated areas.</p> <p>The three municipalities listed above had proposed legislation in Tallahassee, during the 2006 legislative session, in an attempt to address what they believed to be unfair mitigation payments to the County.</p> <p>The County Commission, in an attempt to address this issue locally, agreed to create the task force, along with representatives from these municipalities, to come up with recommendations for these, and future, mitigation payment strategies.</p>	<ul style="list-style-type: none"> • Mitigation should <u>not</u> result in a net revenue transfer to municipalities. • <u>Mitigation payments by the City of Doral, Village of Palmetto Bay, and Town of Miami Lakes should be ceased.</u> • In future incorporations, the County should determine the impact on UMSA by the incorporation, and whether or not mitigation payments should be made. • <u>The Task Force recommends the current formula for establishing mitigation payments should be changed to appropriately reflect revenue impacts.</u> 	
48.	7(B) Report on Incorporation and Annexation	<p>Pursuant to Resolution No. R-1051-05, the County Manager conducted a study on the impacts incorporation and annexation. This item reports on those findings on:</p> <ul style="list-style-type: none"> • Service Delivery Impact Analysis for specific departments: Police, Building/Planning and Zoning, Parks and Recreation, Public Works, Department of Environmental Resource 		ENO



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			<p>Management (DERM), Solid Waste Management, Water and Sewer, and Team Metro; And also includes the following information:</p> <ul style="list-style-type: none"> • Status of Boundary Dispute Negotiations undertaken by the Florida Conflict Resolution Consortium; • Status of Independent Financial Analysis; • Existing and Potential Enclaves; and • Recommendations 		
49.	7(C)	Report on other Counties with Illuminated Street Name Sign (ISNS) devices.	<p>The Miami-Dade County Public Works Department surveyed Broward, Orange, Leon, Hillsborough, and Pinellas Counties, as well as contacting FDOT and experts from communities outside the State of Florida.</p>	<p>Some State Funding is available to Counties, Cities, and Local FDOT Districts.</p> <p>Each community views the illuminated signs as an overall benefit.</p> <p>The Manager is proposing a 3 year implementation program to install Illuminated Street Signs at over 1800 intersections in Miami-Dade County.</p> <ul style="list-style-type: none"> • Funding Sources would include the PTP Surtax, FDOT, and Municipal Sources. <p><u>Although Street Signs were included in the PTP, this illumination project could be much more costly than the original street sign replacement project considered. The costs associated with this project could adversely affect other projects in the PTP.</u></p>	TG
50.	7(D)	Bond Engineering Survey (sponsored by Comm. Gimenez)	<p>Results from survey of other governmental agencies to determine if the MDC's 22 year professional services agreement (PSA) with Brown and Caldwell for bond engineering services is within the duration range of other similar contracts.</p>		ENO

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			Of the 7 governmental agencies surveyed (Hillsborough County, Pinellas County, Palm Beach County, MDC Seaport, MDC Aviation Dept., MDC Water and Sewer Dept., and Lee County), all reported a 3 to 5 year contract with only Pinellas County at 23 years and Lee County at 12 years having the same firm through contract renewals.		
51.	7(E)	Sunset review of the Construction Trades Qualifying Board (CTQB)	The CTQB was established in 1957 to establish competency standards for the construction trades industry.	The recommendation is to continue the CTQB	TG
52.	7(F)	Storm Drain Cleaning Report No. 2	<p>BCC request (Feb. 7, 2006) that DERM provide recurring report on the status of storm drain cleaning activities by Commission District. The total federal funding for the storm drain cleaning project is approximately \$13.5 million.</p> <ul style="list-style-type: none"> • FEMA - \$4.73 million • Federal Highway Administration (FHWA) - \$5.76 mill. • MDC - \$2.23 million • State of Florida \$787,500 <p>Contract selection process can now begin.</p> <p>At December INLUC, DERM will provide projections of work completion process data by Commission District.</p>		ENO
53.	7(G)	Report on Types of Streetlights utilized in Miami-Dade County	<p>At the June 26, 2006 meeting of the Infrastructure and Land Use Committee (INLUC), Commissioner Carlos Gimenez requested a report on the County's use of High Pressure Sodium Vapor (HPSV) "Yellow" Streetlights vs, Metal Halide (MH) "White" Streetlights.</p> <p>The commissioner opined that the "White" lights seemed more aesthetically pleasing.</p>	<p>The report contends that the HPSV (Yellow) lights are currently more efficient than the MH (White) light technology.</p> <p>However, the PWD will explore the utilization of the MH technology in areas where the aesthetic impact would be compatible with the characteristics of the roadway.</p>	TG

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			The County has traditionally utilized the HPSV (or Yellow) Streetlights.		

